

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	02 C 3373	DATE	6/18/2003
CASE TITLE	Nelson Montanez vs. S.C. Johnson & Son, Inc.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]


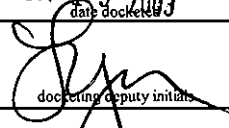
MOTION:

Memorandum Opinion and Order

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ Local Rule 41.1 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. Defendant's motion to compel and for sanctions is granted. Plaintiff shall comply with outstanding discovery matters by June 27, 2003, or we will enter an appropriate bar order. We think, also, that defendant is entitled to some fees. It shall submit a fee request on that same date.

- (11) ☒ [For further detail see order attached to the original minute order.]

No notices required, advised in open court.	U.S. DISTRICT COURT CLERK 03 JUN 18 PM 12:20 FILED-ED 10 Date/time received in central Clerk's Office	number of notices	Document Number 
No notices required.		JUN 19 2003 date docketed	
Notices mailed by judge's staff.		 docketing deputy initials	
Notified counsel by telephone.		date mailed notice	
<input checked="" type="checkbox"/> Docketing to mail notices.		mailing deputy initials	
Mail AO 450 form.			
Copy to judge/magistrate judge.			
WAH	courtroom deputy's initials		

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

NELSON MONTANEZ,

Plaintiff,

vs.

S.C. JOHNSON & SON, INC., a Wisconsin
corporation,

Defendant.


No. 02 C 3373 **DOCKETED**

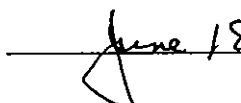
JUN 18 2003

MEMORANDUM OPINION AND ORDER

Defendant has moved to compel plaintiff to comply with long overdue (and court ordered) discovery. That prompted a response, including 50 pages of documents and answers to two interrogatories. The production did not include a written response representing the scope of the compliance as required by Rule 34 of the Federal Rules of Civil Procedure, and the interrogatory answers are not verified, as required by Rule 33(b). In addition, the answers to the earlier interrogatories, also not verified, at various times refer to "Investigation continues."

This case was filed well over a year ago. Defendant is entitled to know what, for example, plaintiff claims was the defect claimed--whether a design deficiency or a construction defect. Defendant is also entitled to have plaintiff comply with discovery requests in a timely and appropriate manner. It should not have to expend time and effort to get compliance. Plaintiff shall comply with outstanding discovery matters by June 27, 2003, or we will enter an appropriate bar order. We think, also, that defendant is entitled to some fees. It shall submit a fee request on that same date.


JAMES B. MORAN
Senior Judge, U. S. District Court

 June 18, 2003.

